

Regular City Council Meeting
February 10, 2020

STATE OF TEXAS
COUNTY OF MONTAGUE
CITY OF BOWIE

On this the 10th day of February, 2020, the council convened in a regular meeting open to the public as advertised with all Councilors present.

Presiding: Mayor Miller
Councilors: Bell, Buckmaster, Higgins, Kent, Love, and Malone.
City Secretary Page
City Manager Cunningham
City Attorney Jennings

Mayor Miller called the regular meeting to order at 6:00 p.m.

INVOCATION

Invocation was given by Pastor Mike Henson, First Baptist Church.

ANNOUNCEMENTS

City Offices will be closed February 17th for President's Day.
City Secretary Sandy Page received her 2nd Texas Municipal Clerks recertification.

CITY MANAGER REPORT

Cunningham reported the architectural firm has almost completed the design plans for the renovation of the community room. Part of the plan is to move the handicap parking from the front of the building to the side parking lot. This will leave a green area out front. Hopefully we will advertise for bids soon. We have 3 High School intern students. This program seems to be working well. The scanning program is still in the works and hopefully will be up and running soon.

PUBLIC COMMENTS

Thomas Kent spoke on his discontent with the preparation of the Agenda. Unless an item is on the agenda, council can not discuss it and without the ability to have input to the agenda, the city council has no voice.

Consent Agenda Items: Approval of Minutes –January 28, 2020 Regular Meeting.

Councilor Malone moved, with a second from Councilor Bell, to approve the consent agenda items. Motion carried with Councilors Bell, Buckmaster, Higgins, Kent, Love, and Malone voting Aye.

Second reading of Ordinance 2020-04-An ordinance amending Chapter 12 "Planning and Zoning" Section 23 "Use of Land and Buildings"; Subsection 23.2 "Residential Uses" of the Code of Ordinances of the City of Bowie; repealing any conflicting clause; providing for a severability clause.

Councilor Kent moved, with a second from Councilor Love, to approve the second reading of Ordinance 2020-04. Motion carried with Councilors Bell, Buckmaster, Higgins, Kent, Love, and Malone voting Aye.

Approve Hotel/Motel year-end report for 2019.

Councilor Higgins reported \$151,845 was budgeted during the year for expenses and \$92,238.26 was spent. Funds were expended for promotion of large events such as Jim Bowie Days and Second Monday Trade Days, but also smaller items like curtains and sound panels at the Community Center. Higgins was asked why this report and the city budget differ. She said this report is an actual statement as opposed to the budget which offers only an estimate of revenues and expenses. Several councilors agreed that this should be considered during budget time.

Councilor Malone moved, with a second from Councilor Bell, to approve the year-end Hotel/Motel report. Motion carried with Councilors Bell, Buckmaster, Higgins, Kent, Love, and Malone voting Aye.

Request from Terry Frazier on use of Community Center for "Pickin' for Veterans".

Councilor Love moved, with a second from Councilor Kent, to approve the request to waive rental fees for use of the Community Center for "Pickin' for Veterans". Motion carried with Councilors Bell, Buckmaster, Higgins, Kent, Love, and Malone voting Aye.

Old Bowie Lake Dam.

The City of Bowie was informed by TCEQ last September about poor conditions on the dam. It was reported to be in need of extensive maintenance and repairs. The City was given until October 10, 2019 to submit a plan of action. In response, City Manager Cunningham told TCEQ that the City cannot afford the cost of making sure the dam is safe and ask for guidance on options. TCEQ was not aware of any grant in place that would be of use to the City. They recommended that the dam be safely removed to eliminate potential liability from a catastrophic dam failure.

Approximately 75 people came in support of the Old Bowie Lake Dam. Alan Miller opened the comments along with about 17 property owners who spoke and expressed their concerns about the repairs or possible draining of the lake.

The majority of the comments urged the council to avoid draining the lake, which would destroy their property values among other things. Mayor Miller read the conclusion of the inspection report that states the City is liable for any downstream damage in the event of a breach of the spillway and it is the owner's responsibility to maintain the dam in a safe condition to prevent loss of life and limit potential for property loss. After much discussion, the property owners decided to form a committee to work with the City on this problem.

Councilor Higgins moved, with a second from Councilor Malone, to give the City Manager more time to research options and to work with the committee of property owners. Motion carried with Councilors Bell, Buckmaster, Higgins, Kent, Love, and Malone voting Aye.

Mayor Miller close the regular meeting at 7:35 p.m.

EXECUTIVE SESSION: Pursuant to Texas Government Code Section 551.071-Consultation with Attorney.

1. Midwest Waste Services, LLC vs. City of Bowie.

Mayor Miller opened Executive Session at 7:41 p.m.

Mayor Miller closed Executive Session at 8:10 p.m.

Mayor Miller convened into Open Session at 8:11 p.m.

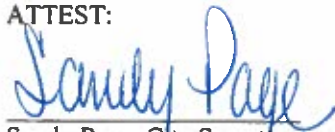
CONSIDER ANY OFFICIAL ACTION REGARDING EXECUTIVE SESSION: Pursuant to Texas Government Code Section 551.071-Consultation with Attorney.

1. Midwest Waste Services, LLC vs. City of Bowie.

No action was taken.

Mayor Miller adjourned the meeting at 8:12 p.m.

ATTEST:


Sandy Page, City Secretary


Bill Miller, Mayor